

10/512126
DT01 Rec'd PCT/PTC 20 OCT 2004
PATENT

S/N Unknown

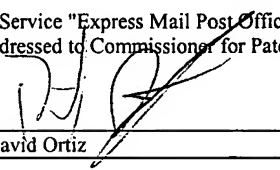
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|---|-----------------|-------------|
| Applicant: | CHOI, et al. | Examiner: | Unknown |
| Serial No.: | Unknown | Group Art Unit: | Unknown |
| Filed: | Herewith | Docket No.: | 9717.40USWO |
| Title: | COMPOSITION FOR TREATING CANCER CONTAINING N,N-DIMETHYLPHYTOSPHINGOSINE | | |

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 408490399 US
Date of Deposit: October 20, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 
Name: David Ortiz

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information is a copy of the International Search Report. At least some of the references were recently cited in an International Search Report mailed August 20, 2003.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §1.98(a)(3)):

English abstracts have been included for each foreign language reference.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

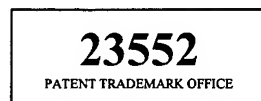
Respectfully submitted,

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Dated: October 20, 2004

By: Curtis B. Hamre
Curtis B. Hamre
Reg. No.: 29,165

CBH/pjk



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| FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) | Docket Number: 9717.40USWO | Application Number: Unknown 10/512126 |
| | Applicant: CHOI, et al. | |
| | Filing Date: Herewith | Group Art Unit: Unknown |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|--------------|-----------------|------------------|-------|----------|----------------------------|
| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
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| | 5,958,742 | September, 1999 | Park, et al. | | | |
| | 6,194,196 | February, 2001 | Park, et al. | | | |
| | 6,368,831 | April, 2002 | Maurer, et al. | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
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| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | YES | NO |
| | 10-0188857 | January, 1999 | Korea | | | Abstract | |
| | 10-0221357 | June, 1999 | Korea | | | Abstract | |
| | 2 781 502 | January, 2000 | France | | | Abstract | |
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| | 2001-39859 | February, 2001 | Japan | | | Abstract | |
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| | 1 291 340 | March, 2003 | EPO | | | | |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | |
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| | | Jendiroba, et al., "Effective cytotoxicity against human leukemians and chemotherapy-resistant leukemia cell lines by <i>N-N</i> -dimethylsphingosine", <i>Leukemia Research</i> , vol. 26, 2002, 301-310 |
| | | Ohta, et al., "Induction of apoptosis by Sphingosine in Human Leukemic HL-60 Cells: A possible Engogenous Modulator of Apoptotic DNA Fragmentation Occuring during Phorbol Ester-induced Differentiation", <i>Cancer Research</i> , vol. 55, no. 3, February 1992, 691-697 |
| | | Advanced Organic Chemistry, 4th edition, Wiley-Interscience Publication, Jerry March, 1992, 898-901 |
| | | Lee JS, et al., "Phytosphingosine and C2-phytoceramide induce cell death and inhibit carbachol-stimulated phospholipase D activation in Chinese hamster ovary cells expressing the <i>Caenorhabditis elegans</i> muscarinic acetylcholine receptor", <i>FEBS Letters</i> , 499(1-2), June, 2001, 82-86 |
| | | Igarashi, et al., "Functional Roles of Sphingosine, Sphingosine 1-Phosphate, and Methylsphingosines: In Regard to Membrane Sphingolipid Signaling Pathways", <i>J. Biochem</i> , vol. 122, no. 6, 1997, 1080-1087 |

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PATENT TRADEMARK OFFICE

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|---|-----------------|
| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. | |